

9. (Amended) A switch claimed in claim 5 wherein the first and second upper waveguides are of the same width as the input and output waveguides respectively.

10. (Amended) A switch as claimed in claim 5, wherein the first and second upper waveguides are not of the same thickness as the input and output waveguides respectively.

11. (Amended) A switch structure as claimed in claim 5, wherein the first and second upper waveguides are of the same thickness as the input and output waveguides respectively.

12. (Amended) A switch as claimed in claim 5, wherein the axis of the first and second upper waveguides are centred above the axis of the input and output waveguides respectively.

13. (Amended) A switch as claimed in claim 5, wherein the axis of the first and second upper waveguides are not centred above the axis of the input and output waveguides respectively.

14. (Amended) A switch as claimed in claim 5, wherein the first and second upper waveguides and/or the input and output waveguides are not of constant width and/or constant thickness.

15. (Amended) A switch as claimed in claim 5, formed on a substrate material which is substantially planar.

16. (Amended) A switch as claimed in claim 5, wherein the waveguides are terminated by end facets that are not perpendicular to the waveguide axis.

17. (Amended) An array of switches each switch being as claimed in claim 5.